

This Act is current to 30 November 2016.

**RESORT TIMBER ADMINISTRATION ACT**  
[SBC 2006] CHAPTER 30

Assented to May 18, 2006

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Definitions

1 In this Act:

"all seasons resort" means a resort business operated or intended to be operated for the purpose of providing

(a) single-seasonal or multi-seasonal recreational activities, and  
(b) facilities for or related to those recreational activities,  
and includes a resort operated principally to provide alpine skiing and snowboarding to customers by fixed lifts, in return for user fees;

"controlled recreation area" means an area designated by regulation under section 4;

"Crown timber" means timber reserved to the government;

"forestry statutes" means the Forest Act and the Forest and Range Practices Act and includes the regulations under the Forest Act and the regulations under the Forest and Range Practices Act;

"private land" has the same meaning as in the Forest Act;

"specified enactment" means a provision of the forestry statutes, pertaining to the forest resources of the Crown, that is designated by regulation under section 4.

Minister may delegate powers and duties

2 (1) The minister, by conditional or unconditional written authority, may delegate the minister's powers and duties under this Act to a person employed in any ministry of the government.

(2) A delegation under this section may be made by reference to the delegate's name or title.

Minister's responsibilities under specified enactments

3 (1) In relation to a controlled recreation area or an all seasons resort in a controlled recreation area, the minister, instead of any official referred to in a specified enactment,

(a) has all the powers pertaining to a discretion, function or duty referred to in the specified enactment, and  
(b) is charged with all the responsibilities pertaining to that discretion, function or duty.

(2) Each of the minister's powers, discretions, functions and duties under a specified enactment applies only in controlled recreation areas.

(3) The exercise of the powers conferred on the minister by this section, the carrying out of each discretion, function and duty under a specified enactment and the responsibilities with which the minister is charged under this section remain subject in all respects to whichever of the forestry statutes contains the specified enactment.

Power to make regulations

4 (1) The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations

(a) designating as a controlled recreation area an area that consists of one or both of the following:

(i) Crown land;

(ii) private land on which Crown timber is located,

(a.1) cancelling the designation of an area as a controlled recreation area or amending the boundaries of a controlled recreation area, and .

(b) subject to subsection (3), designating any provision of the forestry statutes as a specified enactment for the purposes of this Act.

(3) The Lieutenant Governor in Council may not make a designation under subsection (2) (b) unless satisfied that

(a) the exercise of a power or discretion, or

(b) the carrying out of a function or duty

under the provision proposed for designation is necessary or desirable in relation to the planning, development, construction, operation or maintenance of an all seasons resort in a controlled recreation area.

(4) In making a regulation under this Act, the Lieutenant Governor in Council may make different regulations for different circumstances, persons, places, things or transactions.

Consequential Amendments

[Note: See Table of Legislative Changes for the status of sections 5 to 6.]

Section(s)	Affected Act
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5-6	Forest Act
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Commencement

7 This Act comes into force on the date of Royal Assent.

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